

**CITY OF GUNNISON, COLORADO
CITY COUNCIL**

IN THE MATTER OF THE APPLICATION)	
FOR A TRANSFER OF RETAIL MARIJUANA)	
STORE LICENSE TO BEST BUDS, INC.)	
dba BEST BUDS, 811 N. MAIN STREET)	FINDINGS AND DECISION
GUNNISON CO 81230)	

TO THE APPLICANT ABOVE-NAMED AND ALL OTHER INTERESTED PARTIES:

Pursuant to 8.50.040 of the Gunnison Municipal Code and Title 12-Article 43.4 C.R.S., you are hereby advised based upon the application for a Transfer of Ownership of a Retail Marijuana Store License, the investigation conducted by the City of Gunnison, as the local Marijuana Licensing authority, and the evidence submitted at the public hearing, the application of Best Buds Inc., dba Best Buds, 811 N. Main Street, Gunnison, Colorado, the Transfer of an Existing Retail Marijuana Store License, is approved for the following reasons and with the following findings and conditions:

FINDINGS:

- (1) There has not been a denial of an application at the same location, on the grounds that the reasonable requirements of the neighborhood were satisfied by the existing establishments as determined in the original licensing process.
- (2) It appears from the evidence submitted with the application that the applicant is entitled to possession of the premises where the transferred license is proposed to be exercised.
- (3) Selling Retail Marijuana and Allowed Retail Marijuana-Associated Products, as proposed in the application, is not in violation of the zoning, fire, building, technical, and other applicable codes of the City of Gunnison or the laws of the State of Colorado.
- (4) The building where the application proposes to sell Retail Marijuana and allowed marijuana-associated products does not appear to be within 1000 feet of any public, charter, or parochial school, daycare school, center or home, the principal campus of any college, university or seminary, or mental health facilities.
- (5) Within the City Limits where Retail Marijuana and Marijuana-associated products are proposed to be sold, there are currently the following existing licensed marijuana establishments:
8 – Retail Marijuana Stores Licenses with 7 in active operation.
- (6) All fees necessary for the application have been paid.

CONDITIONS:

- (1) The Marijuana establishment shall comply with all provisions, standards and regulations of the *Land Development Code* and all relevant building, mechanical and fire codes adopted by the City.
- (2) The facility is partitioned with the Retail Establishment comprising approximately 1,422 square feet (sf) and the remaining building floorplan (\pm 3,152 sf), is identified as "storage". Any future change in use for the designated storage floor area shall be subject to review and approval by the Community Development Director.
- (3) A minimum of 4 exterior parking spaces shall be dedicated to accommodate parking demand associated with the accessory "storage" use as depicted on the floor plans.
- (4) The parking facilities will include an 8' perimeter landscaping island pursuant to Section 4.6.G.2 of the City of Gunnison *Land Development Code* and as depicted on the site plan submittal on file that was approved on November 3, 2015.
- (5) Building occupancy for the licensed retail marijuana establishment shall be subject to final inspection and approval by the Building Official, Fire Marshal and Director of Community Development.

Dated this 13th day of September, 2016

MARIJUANA LICENSING AUTHORITY
CITY OF GUNNISON

Gail A. Davidson, City Clerk
City of Gunnison
201 W. Virginia Avenue
Gunnison, CO 81230

CERTIFICATE OF DELIVERY

I hereby certify that I have mailed via USPS certified mail, the foregoing "**FINDINGS & DECISION**" to the applicant on _____, 2016, to the following address:

Gail A. Davidson, City Clerk

MOTION

I move that the Transfer of Retail Marijuana Store License located at 8111 N Main Street, Gunnison, Colorado, 81230, to Best Buds Inc., dba Best Buds, be approved based on the following findings and with the following conditions:

FINDINGS:

- (1) There has not been a denial of an application at the same location, on the grounds that the reasonable requirements of the neighborhood was satisfied by the existing establishments in the original licensing process.
- (2) It appears from the evidence submitted with the application that the applicant is entitled to possession of the premises where the transferred license is proposed to be exercised.
- (3) Selling Retail Marijuana and Allowed Retail Marijuana-Associated Products, as proposed in the license, is not in violation of the zoning, fire, building, technical, and other applicable codes of the City of Gunnison or the laws of the State of Colorado.
- (4) The building where the application proposes to sell Retail Marijuana and allowed marijuana-associated products does not appear to be within 1000 feet of any public, charter, or parochial school, daycare school, center or home, the principal campus of any college, university or seminary, or mental health facilities.
- (5) Within the City Limits where Retail Marijuana and Marijuana-associated products are proposed to be sold, there are the following existing licensed marijuana establishments:
8 – Retail Marijuana Stores Licenses with 7 in active operation.
- (6) All fees necessary for the application have been paid.

CONDITIONS:

- (1) The Marijuana establishment shall comply with all provisions, standards and regulations of the *Land Development Code* and all relevant building, mechanical and fire codes adopted by the City.
- (2) The facility is partitioned with the Retail Establishment comprising approximately 1,422 square feet (sf) and the remaining building floorplan (\pm 3,152 sf), is identified as “storage”. Any future change in use for the designated storage floor area shall be subject to review and approval by the Community Development Director.
- (3) A minimum of 4 exterior parking spaces shall be dedicated to accommodate parking demand associated with the accessory “storage” use as depicted on the floor plans.
- (4) The parking facilities will include an 8’ perimeter landscaping island pursuant to Section 4.6.G.2 of the City of Gunnison *Land Development Code* and as depicted on the site plan submittal on file that was approved on November 3, 2015.
- (5) Building occupancy for the licensed retail marijuana establishment shall be subject to final inspection and approval by the Building Official, Fire Marshal and Director of Community Development.